

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
)	Case No. 1:07-CR-27
v.)	
)	Chief Judge Curtis L. Collier
)	
KENNETH W. KNIGHT)	

ORDER

On December 7, 2007, United States Magistrate Judge William B. Carter conducted a plea hearing in this case for Kenneth W. Knight (“Defendant”) and filed a Report and Recommendation (“R&R”). The R&R recommends: (1) the Court accept Defendant’s guilty plea as to Count One of the Indictment, charging knowingly possessing in and affecting commerce, firearms and ammunition in violation of 18 U.S.C. § 922(g)(1);¹ the Court accept Defendant’s guilty plea as to Count Two of the Indictment, charging knowingly, intentionally, and without authority possessing with the intention to distribute fifty (50) grams or more of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A); (2) the Court adjudicate Defendant guilty of the charges to which he has pleaded; (3) the Court accept Defendant’s plea agreement at the time of sentencing; and (4) Defendant remains in custody pending sentencing in this matter (Court File No. 14).

¹Due to a typographical error in the R&R (Court File No. 14), Count One cited to “18 U.S.C. § 22(g)(1)” - a statute which does not exist. The description of the offense coincides with 18 U.S.C. § 922(g)(1). Since neither party objected to the R&R; the description of Count One sufficiently explains the offense and makes abundantly clear which statute is intended; and, the typographical error relates to a non-existent statute, therefore preventing any potential confusion as to which of two valid statutes is in question, this Court amends the R&R to the extent necessary to correct the typographical error, and adopts the R&R reading “18 U.S.C. § 22(g)(1)” as “18 U.S.C. § 922(g)(1).”

Neither party has filed objections to the R&R within the given ten (10) days. Therefore, after reviewing the record, the Court **ACCEPTS** and **ADOPTS** the R&R (Court File No. 14) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** as follows:

- (1) Defendant's guilty plea to Count One of the Indictment is **ACCEPTED**;
- (2) Defendant's guilty plea to Count Two of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges to which he has pleaded;
- (4) A decision to accept the plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **REMAINS IN CUSTODY** until sentencing. Sentencing is set for **Thursday**,

March 20, 2008, at 9:00 a.m.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE